

State of South Dakota

SEVENTY-EIGHTH SESSION
LEGISLATIVE ASSEMBLY, 2003

633I0625

SENATE BILL NO. 123

Introduced by: Senators Koskan, Apa, Dennert, Duniphan, LaPointe, and Olson (Ed) and
Representatives Juhnke and McCaulley

1 FOR AN ACT ENTITLED, An Act to revise the definition of residence for election purposes.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 Section 1. That § 12-1-4 be amended to read as follows:

4 12-1-4. For the purposes of this title, "~~residence~~" shall be the term, residence, means the
5 place in which a person has fixed his or her habitation and to which, ~~whenever he is absent, he~~
6 ~~has the intention of returning~~ the person, whenever absent, intends to return.

7 A person who has left ~~his~~ home and gone into another state or territory or county of this
8 state for a temporary purpose only ~~shall not be considered to have lost his~~ has not changed his
9 or her residence.

10 A person ~~shall be~~ is considered to have gained a residence in any county or municipality of
11 this state in which ~~he~~ the person actually lives, ~~providing such~~ if the person has no present
12 intention ~~to remove himself therefrom~~ of leaving and has actually resided at the location for at
13 least thirty consecutive days.

14 If a person moves to another state, or to any of the other territories, with the intention of
15 making it his or her permanent home, ~~he shall be considered to have lost his~~ the person thereby



1 loses residence in this state.